

<https://helda.helsinki.fi>

---

## 71. Agreement

Vierros, Marja Kaisa

American center of oriental research  
2018

---

Vierros , M K & Lehtinen , M S 2018 , 71. Agreement . in A Arjava , J Frösén & J Kaimio (eds) , The Petra Papyri V . vol. 5 , American Center of Oriental Research Publications , no. 8 , American center of oriental research , Amman , pp. 241 245 .

---

<http://hdl.handle.net/10138/311974>

---

publishedVersion

---

*Downloaded from Helda, University of Helsinki institutional repository.*

*This is an electronic reprint of the original article.*

*This reprint may differ from the original in pagination and typographic detail.*

*Please cite the original version.*

## 71. AGREEMENT

Inv. 29 recto  
Field No. XXIII  
Glass Plates 122–27  
Plates CXXIX–CXXXIII

ca. 19 x at least 200 cm  
left margin 2–3 cm

6th c.

This is the original inside (*recto*) of a papyrus written on both sides, while the *verso* is published as 72. The three main fragment series giving some text are G, H, and I. The G-fragments preserve the beginnings of lines. Somehow, below stack G was an entity assigned the letter H, of which some fragments can be joined with G, the I-stack being on the right side of the H+G-stack. The frs. G 14–15 and I 16 formed the core of the roll. The I-stack had significantly more layers on the roll's lower side (i.e., the half giving the counterlayers), as the fragment numbers continue up to I 53. However, the outer fragments are in a hopeless state of preservation, and the handwriting is bigger. Thus, very little can be read from this part of the document. There are remains of two other hands between frs. I 41 and I 53. Here, the conservator noted that the stack was divided and enlarged with J-fragments, but she still considered it to be part of the same roll. If the other hands present signatures or witnesses, they can hardly come from the roll's beginning. After fr. I 53, there are several further fragments (not numbered individually), which have no writing on the *verso*. Their handwriting is big (probably **m1**), but no whole words are preserved. For the fragments, see table on p. 251.

The largest combined H+G-fragments measure 9 x 4.5 cm and the largest I fragments 5 x 3.5 cm. The text was written *transversa charta* across the fibers in a fine, large, cursive hand, which resembles, e.g., that of 29 but is not quite as upright. There were ca. 8–9 letters per 5 cm; with an estimated papyrus width of 26–29 cm and margins of 2–3 cm, the amount of letters per line should have been 35–45. The left margin is partly preserved, and approximately 5 cm is missing between the G- and I-fragments (see Introduction to 72). The *recto* side was likely to have been written first. This conclusion is supported by the fact that, when the papyri were burnt, the roll had been turned, the *recto* being on the outer side. The length of the roll is difficult to estimate, but the fragments that have been preserved fill at least two meters, counting also the missing counterlayers.

The conservator assumed that the text on both sides of the papyrus ran from the outer layers toward the roll's core. The *recto* text at the core ends abruptly without signatures or witnesses. As there are secure ink matches only between frs. G15/14 and G16/13 respectively but none between these pairs (whole revolutions of the roll), it cannot be ruled out that the layers actually ran in the opposite direction, beginning at the core. This might explain the change of hands on the outer fragments. However, the extant lines at the core clearly cannot derive from the very beginning of a document, so, whichever way we read the layers, a part of the papyrus must have been cut off. This may show how the papyrus was reused: separate shorter texts were written on the *verso*, some of which were sufficiently valuable on their own to be excised.

The transcript now runs in the direction suggested by the conservator, based on the way the last *verso* fragments were written. In any case, since the fragments must have been confused in many ways, and we cannot

read any coherent story from the individual lines, it does not matter much how we reconstruct the roll. The order of fragments remains tentative and, as the counterlayers are often missing, several lines may have been lost between the fragments, especially in the beginning. Moreover, all the undecipherable lines on the outer layers have been left out from the transcript as well as some traces of letters which form no sensible words. Thus, the line numbering used in the transcript has been constructed purely for the sake of indexing.

The document seems to be an agreement covering grainland, houses, dry gardens, and a κεφάλαιον (“capital sum”). It mentions the ninth indiction year, but, since we do not know if that refers to the past, present, or future, it does not help much with the dating. The *verso* was most likely written after the *recto* and after the death of Patrophilos, which occurred certainly after 565 and probably around the 580’s (see Introduction to 72). The ninth indictions within the probable range of years were 545/6, 560/1, 575/6, and 590/1.

Among the people involved, Ailianos, son of Gessios, is the sole person for whom we have both the name and patronymic, and he is attested only in this papyrus. He may be acting as the curator of a minor, since that word appears in the following line. The name Diphilos is found in the genitive (possibly a patronymic), and the end of a name in -philos in the dative (e.g., Diphilos or Patrophilos). Moreover, words for “brother” appear twice (ἀδελφός as well as ὁμογνήσιος). Diphilos, son of Gessios, *politeuomenos*, is a witness in 29. If Ailianos and Diphilos were brothers and the first was acting as the curator of the latter, this would date our document before 29. In l. 37, we have σαυρος πατρ[; whether we can interpret Sauros as a name is not certain (see comm. ad loc.). The following πατρ- could be the beginning of the name Patrikios or Patrophilos or an adjective referring to something patrimonial. The name Νικίας can probably be read on a loose fragment. While honorific titles are rare, θεοφιλέστατος appears once or twice on loose fragments.

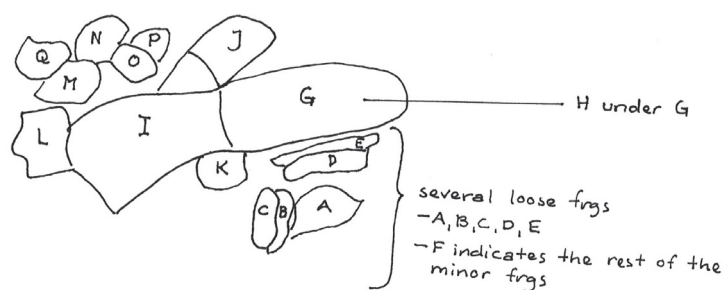


Figure 1. Drawing of Field No. XXIII by the conservator (ML).

↑			
1	[ . . . . ]θεησ[	c. 25–35	]
2	[0–3] διαδοχ[	c. 30–40	]
---			
3	[0–5] . . [ . ]κομι[	c. 25–35	]
---			
4	[0–5] . δικαιολ[	c. 25–35	]
---			
5	[0–5]εἰρημένω [	c. 25–35	]
---			
6	[0–5]ησ ἐμῆσ γ . [	c. 25–35	]
7	[0–5]τηθεντ[ c. 10 ]ηνοσ[ c. 11–21 ]		

- 8 [ c. 14–19 ἰν]δικτ( ) ἐνά[τη c. 9–19 ]  
 ---  
 9 [κα]ῖ ἐκ τ[ο]ῦ κεφαλαίου [ c. 18–28 ]  
 10 [ c. 8 ]υ συνειδα[ c. 9 ] . . . ος εκ[ c. 11–21 ]  
 11 [0–2] . . . κ[.]ω εἰ[ c. 9 ] ρεει π[ c. 11–21 ]  
 ---  
 12 [0–3] ἐμὸς ἀδελφός [ c. 10 ] αυτ . . [ c. 11–21 ]  
 13 [ c. 17 ] ὀρμωμεν[ c. 11–21 ]  
 14 [ c. 18 ] ὁμολογ[ c. 11–21 ]  
 ---  
 15 [0–3] ὁμογενεῖά μου [ c. 18–28 ]  
 16 [ 5–8 ]περ τη[ c. 9 ] κεφαλαίου [ c. 11–21 ]  
 17 [ c. 18 ] τριάκοντ[ c. 11–21 ]  
 ---  
 18 χρυσοῦ νομίμ[ατα c. 20–30 ]  
 19 εἷ ἐν κεφαλαίῳ ο[ c. 9 ] c νυνὶ διαχθ[ c. 11–21 ]  
 20 [.] . ηλογησε[ c. 11 ] τριάκοντ[ c. 11–21 ]  
 ---  
 21 Αἰλιανοῦ Γεσσίῳ[υ c. 8 ] . ημ[.] . . ης[ c. 11–21 ]  
 22 κουράτορος . [ c. 9 ] φιλω εκ[ c. 11–21 ]  
 ---  
 23 ὁμολογῶ [ c. 9 ] θαιε . . . . τ[ c. 11–21 ]  
 24 [.] . . ]εκα[ c. 9 ] ἔχων σοι τ[ c. 11–21 ]  
 ---  
 25 [ c. 18 ] καὶ νομιζ[ c. 11–21 ]  
 ---  
 26 [0–2] ἐπὶ τουτ[ c. 9 ] ν χρυσίνω[ν c. 10–20 ]  
 27 [.] . . . ]ρογεῖ[ c. 9 ] καταβαλ[ c. 11–21 ]  
 ---  
 28 [ c. 18 ] λογ[ c. 15–25 ]  
 ---  
 29 [ c. 18 ] η συνορ[ c. 11–21 ]  
 ---  
 30 [ c. 18 ] ω ὑπε[.] . ]το[ c. 11–21 ]  
 ---  
 31 [ c. 16 νο]μίμως ποι[ c. 11–21 ]  
 32 [0–2] . της το[ c. 25–35 ]  
 ---  
 33 [ c. 18 ] μῆνα τ[ c. 11–21 ]  
 ---  
 34 [0–2] κατὰ μῆνα [ἕκαστον? c. 20–30 ]  
 ---  
 35 τελείῃ σοι[ c. 25–35 ]  
 ---  
 36 ἰδικὴν ὑπολ[ c. 9 ] . ν το δια[ c. 11–21 ]  
 ---

- 37    ςαυρος πατρ[    c. 9    ]ω υπ[    c. 11–21    ]  
 38    χωρίων ἀρχ[    c. 9    ]κα. ἀμ[    c. 11–21    ]  
 ---  
 39    εμπορίμων [καὶ τῶν ξη]ροκηπίων [    c. 11–21    ]  
 40    [ca.3]. ηγων κ[    c. 9    ]κ[    c. 15–25    ]  
 ---  
 41    δομημάτων [    c. 9    ]. ωε ε[ ]λ[    c. 11–21    ]  
 42    οπερ μετὰ ση[    c. 9    ]. . [    c. 15–25    ]  
 43    ςεως γενομέν[ης μετα]ξὺ μου καὶ τ[    c. 11–21    ]  
 44    [Δ]ιφίλου καὶ [    c. 25–35    ]  
 ---  
 45    ἑξακοσιοctoῦ [    c. 9    ]c ἄλλον[    c. 11–21    ]  
 46    διαφέρογτα [    c. 9    ] λ [    c. 15–25    ]  
 47    καὶ παραδεδ[    c. 9    ]τωμα[    c. 11–21    ]

### Fragments

- 48    ἰ]νδικτίονο[c    G: B1+A1  
 49    ]αι δεκατο[    G: Dr  
 50    ἔγω ὁ [    (*kollesis* on verso)    G: Fa1 + loose fr from Glass Plate 123  
 51    θ]εοφιλ[εστατ-    H: no code  
 52    θ]εοφιλ[εστατ-    Separate frs. under G  
 53    ]λ. Νικία[

8 ἰν]δικτ̄ Pap. 19 ἐγκεφαλαίῳ 30 ὑπε[ Pap. 48 ἰνδικτίωνος

### TRANSLATION

(Lines 2–14) . . . successors . . . . . pleading (?) . . . . . the said . . . . . ninth indiction . . . . . of the total . . . we (?) agreed . . . . . my brother . . . originating . . . agree . . .

(Lines 15–27) . . . to my full brother . . . total . . . thirty . . . . . golden *solidi* . . . in total . . . now paid . . . thirty . . . . . Ailianos son of Gessios . . . our . . . curator . . . . . I agree . . . . . golden . . . pay . . .

(Lines 31–47) . . . legally . . . . . month . . . . . for each month . . . he would pay to you (?). . . one's own . . . . . of old land . . . . . of grain[land and] dry gardens . . . . . of buildings . . . . . the past . . . between me and . . . . . [son of?] Diphilos . . . . . six hundredth . . . other . . . belonging . . . and have/has given . . .

### COMMENTARY

9 ἐκ τ[ο]ῦ κεφαλαίου: cf. l. 16 below, and **29** 94–96, [ἀγοραίου γραμμ]ατίου κεφαλαίου [νομισμάτων τριάκοντα τριῶ]ν καὶ ἰδιοχε[ί]ρων [ν ἄ]λλ[ων . . .] “a notarial deed of a capital sum [of thirty-three *solidi*] and private deeds for other . . .”

10 There is a *kollesis* below the line in fr. I 2.

15 The word ὁμογνήσιος does not appear elsewhere in the Petra papyri. It was most likely followed by the noun ἀδελφός (“brother”), ὁμογνήσιός μου [ἀδελφῶ], cf. l. 12, though it was occasionally used for sons or daughters as well.

17 τριάκοντ[: cf. l. 20 below; the sum mentioned, 30 *solidi* or somewhat more, reminds us of **29** (582?–92), the settlement of a debt between Patrophilos, son of Bassos, and Theodoros, son of Obodianos, where the sum is 33 1/3 *solidi* minus 34 *keratia*.

19 ἐξ ἐν κεφαλαίῳ ο[: either ἕξ ἐν κεφαλαίῳ (“six in capital / sum total”), ἕξ ἐν κεφαλαίῳ, or ἐξ ἐν κεφαλαίῳ. *WB*, s.v. κεφάλαιον, cites several occurrences of λόγος ἐν κεφαλαίῳ or the like referring to accounts in total sums, so the first option is the most likely. Taking the word as the compound ἐγκεφάλιον is improbable. It might of course be an abbreviation of ἐγκεφαλαίωμα, cf. P. Lond. II 259.73 (94–95 B.C.) ἐν κεφαλαίῳ(ματων), but the meaning would remain more or less the same (“sums total”).

Ιε νυνὶ διαθεθ[: possibly a form of διαθεθένεω (“to be exhausted,” of soil), cf. P. Oxy. XII 1502v.5–7 (after 260), ἐν τ[ό]πῳ λεγομένῳ Πασιότιος διαθεθ[εν]οῦ[ε]ας καὶ νιλοβροχηθείας (ἀρούρας) δ. The words might also be divided differently: Ιε νὺν ἰδίᾳς θε[ε].

21 Αἰλιανοῦ Γεσσίῳ: an Ailianos appears as the father of Patrikios in **22–24**, **45–47**, **50**, and **65**. However, we cannot identify him with this Ailianos, son of Gessios.

22 κουράτορος: a curator appears only in **1** and **2**, for Theodoros, son of Obodianos. The dative Ιφιλω in the adjacent fragment (I 6) does not necessarily refer to the person who is aged under twenty-five and thus advised by a curator, because a genitive was normal in such cases.

23 There is a *kollesis* under l. 23 on fr. I 7, but it is difficult to see if there is one on fr. G4+2.

29 εὐνορ[: possibly a form of εὐνοράω (“comprehend, decide”).

35 τελείῃ: possibly a misspelling for τελέῃ (e.g., third-person subjunctive) or some other form of τελέω (“fulfill, accomplish, execute, pay taxes”). It might also be a feminine form of τέλειος, even though the confusion between α and η is rare.

Most likely fr. G18 does not belong here, but the correct place is impossible to decide, see Fragment Table.

36 ἰδικήν: the feminine ἰδική does not appear often in the papyri, the adverb ἰδικῶς being much more common, especially in the phrase ἰδικῶς καὶ γενικῶς. Cf. P. Cair. Masp. I 67004.17; 67005.18, [ἐν τῇ] ἰδικῇ αὐτ[ο(ῷ)] φυλακῇ; P. Lond. II 394.10, τὴν ἰδικὴν χρῆσιν ποιεῖ[σθαι]; P. Lond. IV 1346.20, ἐξ ἰδικῆς κοῦ/ ὑποστάσεως; P. Oxy. LXIII 4397.44, ἐν ᾗ ἰδικὴν καὶ γενικὴν πάντων αὐτοῦ τῶν ὑπαρχόντων; SB XX 14606.14, ἰδικῆς χάριτος περὶ τούτου φοιτώσης.

There is a *kollesis* below this line, visible both on frs. G11 and I 13.

37 σαυρος πατρ[: the name Sauros has not been attested before, but Isauros, Saurias, and Sauroon exist. The present scribe did not often divide words between the lines, but cf. l. 43 with comm. Thus, we might here have, e.g., θη-σαυρός. What follows could easily be understood as a patronym, either Patrikios or Patrophilos, but it need not have been a name.

39 [ξη]ροκήπιων: “dry gardens,” see P. Petra II, pp. 15–16. In **27** Fr. 1, the word has been written ξεροκ[ήπιον].

42 οπερ: there is a stroke of ink above the *omikron*; it might be a correction to *upsilon*, but ὑπέρ or οὔπερ would be unlikely.

43 ξεως γενομένης μετα]ξὺ μου καὶ τ[: the first word must have been divided between lines; it probably refers to a contract made between the author of this document and Diphilos in the next line. The contract may have been a sale (πῶσις) or a division (διάρσεις). The space between the G- and I-fragments is somewhat large for the proposed supplement, but the text runs so naturally that it is difficult to think of anything else. Another way to read the first letters would be ἐν ᾧ γενομένης, but it appears less likely.

M. VIERROS, M. LEHTINEN





1

...  
...  
...

2

...  
...  
...

3

...  
...

4

...  
...  
...

5

...  
...

6

...  
...  
...

7

...  
...

8

...  
...

9

...  
...

10

...  
...

11

...  
...  
...

...  
...



12

...αὐτῶν ...

13

...οὐκ ἔστιν ...  
...οὐκ ἔστιν ...

14

...αὐτῶν ...

15

...αὐτῶν ...

16

...αὐτῶν ...

17

...αὐτῶν ...

...αὐτῶν ...

18

...αὐτῶν ...

19

...αὐτῶν ...

20

...αὐτῶν ...

...αὐτῶν ...

21

...αὐτῶν ...

22

...αὐτῶν ...

...αὐτῶν ...

23

...αὐτῶν ...

...αὐτῶν ...





23

Handwritten text fragment, likely line 23, showing cursive script.

Handwritten text fragment, likely line 23, showing cursive script.

24

25

Handwritten text fragments, likely line 25, showing cursive script.

26

Handwritten text fragments, likely line 26, showing cursive script.

Handwritten text fragments, likely line 26, showing cursive script.

27

Handwritten text fragments, likely line 27, showing cursive script.

28

Handwritten text fragment, likely line 28, showing cursive script.

Handwritten text fragments, likely line 28, showing cursive script.

29

Handwritten text fragments, likely line 29, showing cursive script.

30

Handwritten text fragments, likely line 30, showing cursive script.

31

Handwritten text fragment, likely line 31, showing cursive script.

32

Handwritten text fragments, likely line 32, showing cursive script.

33



34

ἡ τὴν ἡμέραν

ἡ τὴν ἡμέραν

35

ἡ τὴν ἡμέραν  
ἡ τὴν ἡμέραν

ἡ τὴν ἡμέραν

36

ἡ τὴν ἡμέραν

ἡ τὴν ἡμέραν

37

ἡ τὴν ἡμέραν

ἡ τὴν ἡμέραν

38

ἡ τὴν ἡμέραν

ἡ τὴν ἡμέραν

40

ἡ τὴν ἡμέραν

ἡ τὴν ἡμέραν

41

42

43

44

45

46

ἡ τὴν ἡμέραν

ἡ τὴν ἡμέραν



46

Fragment of papyrus with Greek text, line 46.

Fragment of papyrus with Greek text, line 46.

47

Fragment of papyrus with Greek text, line 47.

Fragment of papyrus with Greek text, line 47.

48

Fragment of papyrus with Greek text, line 48.

49

Fragment of papyrus with Greek text, line 49.

50

Fragment of papyrus with Greek text, line 50.

51

Fragment of papyrus with Greek text, line 51.

52

Fragment of papyrus with Greek text, line 52.

53

Fragment of papyrus with Greek text, line 53.

